

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 679****[Docket No. 960129019-6019-01; I.D. 080296A]****Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Eastern Aleutian District and Bering Sea Subarea****AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for Atka mackerel in the Eastern Aleutian District and Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the total allowable catch of Atka mackerel in this area.

**EFFECTIVE DATE:** 1200 hours, Alaska local time (A.l.t.), August 2, 1996, until 2400 hours, A.l.t., December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20(c)(3)(iii), the total allowable catch of Atka mackerel for the Eastern Aleutian District and Bering Sea subarea was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) for the BSAI and subsequent reserve apportionment (61 FR 16085, April 11, 1996) as 26,700 metric tons (mt). The directed fishery for Atka mackerel in the Eastern Aleutian District and Bering Sea subarea was closed under § 679.20(d)(iii) on February 14, 1996, (61 FR 6323, February 20, 1996) and reopened on July 1, 1996 (61 FR 33046, June 26, 1996). The fishery was again closed on July 8, 1996 (61 FR 36306, July 10, 1996) and reopened on July 31, 1996 (61 FR 33387, July 27, 1996).

The Director, Alaska Region, NMFS (Regional Director), has determined, in

accordance with § 679.20(d)(iii), that the Atka mackerel total allowable catch in the Eastern Aleutian District and Bering Sea subarea soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 26,600 mt after determining that 100 mt will be taken as incidental catch in directed fishing for other species in the Eastern Aleutian District and Bering Sea subarea. Consequently NMFS is prohibiting directed fishing for Atka mackerel in the Eastern Aleutian District and Bering Sea subarea.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e).

**Classification**

This action is taken under § 679.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 2, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

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**50 CFR Part 679****[Docket No. 960129019-6019-01; I.D. 080296B]****Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District****AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for Atka mackerel in the Central Aleutian District and Bering Sea subarea of the Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the total allowable catch of Atka mackerel in this area.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), August 4, 1996, until 12 midnight, A.l.t., December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act.

Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR part 679 and Subpart H of 50 CFR part 600.

The total allowable catch of Atka mackerel for the Central Aleutian District was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) for the BSAI and subsequent reserve apportionment (61 FR 16085, April 11, 1996) as 33,600 metric tons (mt). The directed fishery for Atka mackerel in the Central Aleutian District was closed under § 679.20(d)(iii) on April 14, 1996, (61 FR 16883, April 18, 1996) and reopened on July 1, 1996 (62 FR 33046, June 26, 1996). The fishery was again closed on July 13, 1996 (61 FR 36306, July 10, 1996) and reopened on July 31, 1996 (61 FR 40353).

The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 679.20(d)(i), that the Atka mackerel total allowable catch in the Central Aleutian District subarea soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 33,500 mt after determining that 100 mt will be taken as incidental catch in directed fishing for other species in the Central Aleutian District. Consequently NMFS is prohibiting directed fishing for Atka mackerel in the Central Aleutian District.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.29(e).

**Classification**

This action is taken under § 679.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 2, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

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**50 CFR Part 679****[Docket No. 960129018-6018-01; I.D. 080596A]****Fisheries of the Exclusive Economic Zone Off Alaska****AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for species that comprise the

shallow-water species fishery by vessels using trawl gear in the Gulf of Alaska (GOA), except for vessels fishing for pollock using pelagic trawl gear in those portions of the GOA open to directed fishing for pollock. This action is necessary because the third seasonal bycatch allowance of Pacific halibut apportioned to the shallow-water species fishery in the GOA has been caught.

**EFFECTIVE DATE:** 1200 hrs, Alaska local time (A.l.t.), August 5, 1996, until 2400 hrs, A.l.t., October 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson

Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The shallow-water species fishery was apportioned 200 metric tons of Pacific halibut prohibited species catch for the third season, the period July 1, 1996, through September 30, 1996 (61 FR 4304, February 5, 1996). (See § 679.21(d).)

The Director, Alaska Region, NMFS, has determined, in accordance with § 679.21(d)(7)(i), that vessels participating in the trawl shallow-water species fishery in the GOA have caught the third seasonal bycatch allowance of Pacific halibut apportioned to that fishery. Therefore, NMFS is prohibiting directed fishing for each species and species group that comprise the shallow-water species fishery by vessels using trawl gear in the GOA, except for vessels fishing for pollock using pelagic

trawl gear in those portions of the GOA open to directed fishing for pollock. The species and species groups that comprise the shallow-water species fishery are: Pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and "other species."

Maximum retainable bycatch amounts for applicable gear types may be found at § 679.20(e).

#### Classification

This action is taken under 50 CFR 679.21 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 5, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

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